



US Army Corps
Of Engineers
Detroit District

Public Notice

Applicant: Laura Voelker

In Reply Refer To: Corps File No. LRE-2010-00792-47
MDEQ File No. 10-64-0075-P

Date: April 08, 2011
Expires: April 27, 2011

Proposed Pier and Mooring Buoys in Pentwater Lake, at Pentwater, Michigan

Applicant: Laura Voelker P.O. Box 373, Pentwater, Michigan 49449

Project Location: In Pentwater Lake, offshore of 51 Bridge Street, Pentwater, Oceana County, Michigan 49449. The site is located approximately 250 feet south of the intersection of Green Street and Bridge Street, approximately 200 feet into Lake Pentwater.

Federal Authority: The applicant has applied for a Department of the Army permit under Section 10 of the Rivers and Harbors Act of 1899.

Project Description: As shown on the attached plans, the applicant proposes to construct an open pile pier 12' wide by 40' long located parallel to the shoreline and 49' from the northern property line. Install two mooring buoys with associated ropes and tackle. The first buoy is located approximately 51' from the southeast property corner near Latitude 43° 46' 49.071" and Longitude 86° 26' 11.817" with a swing radius of 44'. The second buoy is located 116' from the southeast property corner near Latitude 43° 46' 48.624" and Longitude 86° 26' 10.965" with a swing radius of 33'. The purpose of the work is to provide mooring facilities for recreational watercraft.

Other Authorizations: An application for permit was submitted to the Michigan Department of Natural Resources and Environment under the following authorization: Natural Resources and Environmental Protection Act, 1994 P.A. 451, as amended, Part 301.

Comments: We are publishing this notice in compliance with Title 33 Code of Federal Regulations Parts 320-332. Comments on the project should be submitted in writing and postmarked or delivered by the expiration date of this public notice. Comments of a positive or negative nature may be submitted. All responses must refer to file number LRE-2010-00792-47. We will interpret a lack of response as meaning that there is no objection to the permit application. Comments should be filed with:

Charles M. Simon, Chief, Permit Evaluation Western Branch, Regulatory Office, Detroit District, Corps of Engineers, 477 Michigan Avenue, Detroit, Michigan 48226-2550. Comments may be e-mailed to: Adam.C.Wagner@usace.army.mil, but must include a name and mailing address.

After the closing of the response period, the Corps and the MDEQ will exchange timely comments received.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Evaluation: The decision whether to issue the Department of the Army permit will be based on independent conclusions of the Corps of Engineers after evaluation of the probable impact of the proposed activity on the public interest. These decisions will reflect the national concerns for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Endangered Species: We will review this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. We are not aware of the presence of any listed species or critical habitat at or in the vicinity of the proposed worksite. We invite information and/or comments regarding the potential presence of, or impacts to, any listed species or critical habitat.

Cultural Resources: The District Staff has reviewed existing information on historic properties potentially affected by the proposed project, including the National Register of Historic Places. There are no recorded historic properties within the permit area. The proposed work is of such a limited nature and extent that little likelihood exists for the project to impinge upon an unrecorded historic property. The District Engineer invites responses to this Public Notice from federal, state and local agencies, historical and archaeological societies, Indian tribes, and other parties likely to have knowledge of or concerns with historic properties in the area.

Additional Information: This public notice and drawings are also available for viewing/printing at: <http://www.lre.usace.army.mil/functions/rf/html/pncur.htm>. Questions concerning this application may be directed to Adam Wagner at the Corps of Engineers address listed above, or telephone number 313-226-2138.

FOR THE DISTRICT ENGINEER:

Charles M. Simon
Chief, Permit Evaluation Western Branch
Regulatory Office

NOTICE TO POSTMASTERS:

We request that the above notice be conspicuously and continuously posted for the time period of this notice.